

- BB 41 - USSR INTERNATIONAL AFFAIRS
Aug. 10, 1960

TEXT OF INDICTMENT OF SPY PILOT POWERS

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1515 ONE--L (UNCLASSIFIED)

(Text of the indictment against Francis G. Powers, accused under Art. 2 of the USSR law "On Criminal Responsibility for State Crimes." This replaces the TACS Russian version printed in the Aug. 9 USSR/EE DAILY REPORT, p. 55 22. The volume and page numbers cited throughout the indictment presumably refer to an official Soviet compilation of documents in the Powers case.)

(Text) At 0936 hours, Moscow time, on May 1, 1960, an unknown plane violated the state frontier of the USSR at a point 20 kilometers southeast of Kirovabad, in the Tadzhik SSR, intruded into the airspace of the USSR, and proceeded into Soviet territory at an altitude of 20,000 meters.

The plane which violated the Soviet frontier was tracked continuously by Soviet anti-air defense units. This surveillance showed that the plane's route lay over large industrial centers and important defense objectives in the Soviet Union. Throughout the entire flight, the plane remained at an altitude of 20,000 meters, an altitude at which no flights are made by any civilian planes. The data left no doubt that this was a deliberate incursion into the airspace of the USSR with hostile aims.

In view of this, the Soviet Government ordered the plane shot down. In fulfillment of this order, a Soviet anti-air defense unit brought the plane down with a rocket on the very first shot. This was at 0955 hours, Moscow time, when the plane was at an altitude of 20,000 meters in the area of Sverdlovsk; that is, over 2,000 kilometers from the point at which it crossed the frontier of the Soviet Union. The pilot of the plane bailed out and was detained. The first interrogation established that he was Francis Gary Powers, a citizen of the United States. (Vol. 1, pp. 20-23; Vol. 2, p. 2; Vol. 7, p. 6)

Examination of the plane's wreckage and of the special equipment it carried established that it was an American plane of the Lockheed U-2 type, designed for flights at great altitudes, adapted for intelligence purposes, and to this end equipped for aerial photography and radio reconnaissance from great heights. Found among the wreckage were undeveloped films of Soviet airfields and other important military and industrial objectives in the Soviet Union. Moreover, a magnetic tape was found with a recording of the signals of certain Soviet radar stations. (Vol. 1, pp. 49-52, 128-146, 227, 228, 243-253)

Preliminary investigations conducted by the Committee for State Security under the USSR Council of Ministers established that the espionage flight had been organized with the knowledge of the Government of the United States by a special American intelligence unit based in Turkey and known under the code name "Detachment 10-10." (Vol. 2, pp. 2, 3, 14, 147, 217)

When Comrade N.S. Khrushchev, chairman of the USSR Council of Ministers, disclosed this gangster flight in his report to the session of the USSR Supreme Soviet on May 5, 1960, a spokesman of the U.S. State Department admitted that same day that the violation of the frontier of the USSR by an American plane was "entirely possible," but would have been accidental and unpremeditated. According to the State Department, a Lockheed U-2 plane, on May 1 engaged in weather research, "took air samples" in the upper layers of the atmosphere in the area of the Soviet-Turkish frontier, and strayed off course because of a failure in oxygen equipment.

This statement said further that the pilot had probably lost consciousness and that the plane continued on automatic pilot and accidentally intruded into the airspace of the Soviet Union. This version was confirmed on the same day in a statement by the U.S. National Aeronautics and Space Administration, which allegedly controlled the plane and which, according to the statement, had been used to study wind gusts and atmospheric conditions at high altitudes. According to NASA, a search for the missing U-2 plane had been started in the area of Lake Van in Turkey.

The same version was given in the note of the U.S. Embassy in Moscow delivered to the USSR Ministry of Foreign Affairs on May 6.

On May 7, addressing the USSR Supreme Soviet, the head of the Soviet Government, N.S. Khrushchev, exposed the falsity of this version and cited irrefutable, concrete facts which proved beyond a doubt the premeditated, perfidious, and gangsterlike nature of the violation of Soviet airspace by the U-2 plane, and also the intelligence purposes of its flight, which were incompatible with the elementary requirements of the maintenance of normal relations between states in peacetime.

After that, the State Department, cornered by the facts cited by Comrade N.S. Khrushchev, had to admit in a new statement on May 7 the intelligence nature of the flight, noting, however, that "insofar as the Washington authorities are concerned, there was no authorization for any such flights as described by Mr. Khrushchev."

If this statement still left open the question of the U.S. Government's direct implication in the brazen act of aggression against the Soviet Union, all doubts on this score were dispelled by the statement made by U.S. Secretary of State Herter on May 5 in the name of the U.S. Government.

Secretary Herter announced in his statement, unprecedented in the history of international relations, that under the National Security Act of 1947 President Eisenhower had put into effect since the beginning of his administration directives to carry out intelligence operations against the Soviet Union. Under these directives, as noted by Herter, programs had been developed and put into operation providing for the incursion by American reconnaissance aircraft into the airspace of the USSR.

Herter's statement was confirmed on May 11 by President Eisenhower himself, who also admitted that flights by American planes over the Soviet Union had been and remained the "calculated policy of the United States." The same thing was said by the U.S. Government in a note to the Soviet Government on May 12.

Especially brazen and shameless was the television speech by Vice President Nixon on May 15, in which he not only confirmed the cynical statement that American flights over the territory of the Soviet Union were calculated U.S. policy--statements made earlier by Herter and Eisenhower, and violating standards of international law--but went even further.

Nixon declared that the United States needed a "continuous program" of espionage, and sought to justify the obvious lie in the May 5 statement of the State Department about the "meteorological research" allegedly conducted by the U-2 plane. In other words, he was upholding the U.S. "right to espionage."

These statements by the secretary of state, the President, and the Vice President of the United States were official confirmation of the hostile activities conducted by the United States with regards to the Soviet Union over a number of years, and expressed in repeated incursions by American planes into the airspace of the USSR for intelligence purposes.

Thus, the Government of the United States officially proclaimed in peacetime a policy which can only be followed when countries are at war. During Eisenhower's tenure as president of the United States, that is, beginning in January 1953, the Soviet Union made several protests to the Government of the United States against incursions of American planes within the boundaries of the USSR.

- 12 14 -

USSR INTERNATIONAL AFFAIRS
Aug. 10, 1960

In assessing these violations, the Soviet Government pointed out that "these violations of the frontiers of the Soviet Union by American military planes are connected with the fulfillment of definite assignments of the American military command." (Note of Sept. 8, 1954--TASS)

Protesting resolutely against such acts, the Government of the USSR stressed repeatedly in its notes to the U.S. Government that these intrusions "are a gross violation of the elementary standards of international law" (note of Sept. 8, 1954--TASS), and constitute "premeditated actions by certain U.S. circles aimed at aggravating relations between the Soviet Union and the United States." (Note of July 10, 1956--TASS).

In reply to all these notes, the U.S. Government limited itself to formal answers. The repeated intrusions by American planes within the confines of the Soviet Union are a flagrant violation of the universally recognized principle of international law establishing full and exclusive sovereignty of every state over the airspace above its territory. This principle was recognized in the multiparty Paris convention on the regulation of air navigation, Oct. 13, 1919, noted in the Havana convention of 1928 concluded by a number of American states, and reaffirmed in Art. 1 of the convention on international civil aviation, concluded in Chicago on Dec. 7, 1944.

The same principle also found expression in the national legislation of various countries, including the Soviet Union and the United States (The air commerce act of 1926 and the civil aeronautics act of 1938--TASS).

Art. 1 of the air code of the USSR, of 1935, also establishes that "the USSR exercises full and exclusive sovereignty over the airspace of the USSR. This principle of sovereignty is sacred and immutable in international relations."

Under these conditions the statements of President Eisenhower, Vice President Nixon, and Secretary Herter, attempting to justify violations of USSR sovereignty by American aircraft and elevating such violations to a principle of state policy, cannot be regarded as other than an open declaration of the refusal of the U.S. Government to comply with fundamental universally recognized standards of international law, without the observance of which normal relations between states are impossible.

The repeated intrusions of American aircraft into the airspace of the USSR, specifically the May 1 U-2 flight, constitute a gross violation of the sovereignty of the USSR and an act of aggression which tramples upon standards of international law and the high principles of the U.N. Charter, which also bears the signature of the United States.

With the present level of military technology, and when, as responsible American military leaders have repeatedly declared, the United States is constantly keeping patrol bombers aloft carrying atomic and hydrogen bombs, reconnaissance flights for photographing possible targets and providing radar irradiations represent composite elements of a military air attack. Under such conditions, the intrusion of a foreign aircraft over the territory of the USSR can at any time be an indication of the beginning of an armed attack. Moreover, there is nothing to guarantee that any such plane appearing over Soviet territory does not carry a deadly load.

The aggressive act of the United States in the form of arrogant invasion of the airspace of the USSR by an American military aircraft represents an action which directly jeopardizes world peace. At a time when certain states possess nuclear weapons and the means to deliver them almost instantaneously to targets, the aggressive act undertaken by the United States on May 1 against the Soviet Union might have had the most grave consequences for humanity.

The statements by the U.S. Government leaders and the note of the U.S. Government of May 12 lay heavy stress on the alleged civilian status of the U-2. The materials of the investigation prove the falsity of these claims. An identity certificate, No. 45 1283003, taken from Powers carries the insignia of the U.S. Defense Department and the inscription "Department of Defense, United States of America." (Vol. 1, p. 99; Vol. 6, p. 11)

Asked whether the possession of such a certificate indicated that he was employed as a U.S. Air Force pilot, Powers replied: "It means that I served in the U.S. Air Force as a civilian." (Vol. 3, p. 180)

Asked further how the organization for which he worked should be regarded--military or civil--Powers said: "This is a kind of combination of civilian and military service; all this is covered and coded by name 'Detachment 10-10.'" (Vol. 2, p. 2)

Powers testified that approximately in April 1960 the chief of staff of the U.S. Air Force, Gen. Thomas D. White, visited the Incirlik airbase especially to inspect the 10-10 detachment. (Vol. 3, pp. 92, 93)

Asked who else had visited the Incirlik base, Powers said that during his stay at the Incirlik base it was visited twice by General Brewster, commander of U.S. air forces in Europe, and by other American generals. (Vol. 4, pp. 28-211) It has thus been established that the U-2 belonged to the U.S. Air Force.

- BB 16 - USSR INTERNATIONAL AFFAIRS
Aug. 10, 1960

The criminal violation by the U.S. Government of the universally recognized standards of international law represents one of the elements of the aggressive foreign policy pursued by the U.S. Government. This aggressive policy has been repeatedly formulated by U.S. leaders, in particular by former Secretary of State John Foster Dulles, as a position of strength policy, a deterrent policy, and a brink of war policy.

As late as July 1959 Vice President Nixon, in an article in LIFE, again warned the brink of war policy and declared that this policy remained one of the supreme principles of the United States.

As is known, this policy was manifested in conclusion, under U.S. aegis, of aggressive pacts and alliances in nearly all parts of the world, in the arms race, in the establishment of a network of military bases around the Soviet Union and other socialist countries, as well as in other aggressive actions endangering world peace and security. Expressions of the same policy were the systematic intrusions of U.S. Air Force planes over Soviet territory, including the aggressive intrusion by the U-2 on May 1.

The reckless actions of the U.S. Government have brought about the breakdown of the summit meeting in Paris and complicated the international situation. The U.S. Government has drawn into the realization of its aggressive policy a number of states bordering on the Soviet Union, which have allowed their territories to be used for American military bases and consequently are accomplices in aggressive actions against the USSR.

It has been established by the investigation that the U-2 intrusion could not have taken place without the use of military airbases in states near the Soviet Union, specifically in Turkey, Pakistan, and Norway, since the maximum range of the Lockheed U-2 prevented it from operating from U.S. territory.

It has been established that the reconnaissance detachment 10-10, in which Powers served, was based at the American-Turkish Incirlik airbase. The unit was under the command of Colonel Shelton, of the U.S. Air Force. The U-2 was flown from Incirlik to the Peshawar military airbase in Pakistan, from which it flew to the Soviet Union. This involved violation of the sovereignty of Afghanistan, over which the U-2 plane flew unlawfully, without the knowledge of Afghan authorities.

- BB 47 -

USCIB INTERNATIONAL AFFAIRS
Aug. 10, 1960

Asked what reserve airfields were indicated to him for his May 1 flight, Powers said: "As reserve airfields I could use any airfield in Norway, Iceland, or Iran." (Vol. 3, p. 88)

It has also been established that according to his assignment, Powers, after ending his flight, was to land at the Bodoe military airbase in Norway, which had been already used by the 10-10 intelligence detachment on previous occasions. These circumstances were established from the testimony given by Powers, his flight map, and other evidence. (Vol. 2, p. 9, 28, 180, 196-198, 304; Vol. 6, p. 25)

Instructions given to Powers envisaged the possibility of violating the sovereignty of other states as well. On this question defendant Powers testified: "In case of too little fuel to fly to Murmansk as planned, I could turn left before reaching Kandalaksha and fly via Finland to Bodoe." (Vol. 2, p. 241)

The instructions given to Powers envisaged the possibility of landing, if necessary, at airfields in Finland or Sweden. Powers said on this matter: "The word 'Sodankyla' written along the green line on the flight map means that I could land at Sodankyla airfield in Finland. However, Colonel Shelton warned me that this airfield is bad and that I should use it only in an emergency, but that it was better than landing somewhere on Soviet territory. He also said that it was best to land in Sweden or Norway, with the latter being more desirable." (Vol. 2, p. 271) Powers' testimony is confirmed by the marks found on his flight map. (Vol. 6, p. 25)

Thus, the investigation of the present case again confirmed that American military bases in certain foreign states are a danger to peace and to the security of nations.

For realization of their aggressive policy of espionage against the Soviet Union, the U.S. Government and the U.S. military command for a number of years have been selecting and training the necessary personnel. It was for this purpose that the defendant in this case, Francis Gary Powers, was recruited.

During the investigation Powers testified that in 1950 he volunteered for the U.S. Air Force, trained at an air force school in Greenville, Mississippi, and later at an airbase outside Phoenix, Arizona. After graduation he served as a pilot at various U.S. military airbases with the rank of first lieutenant. (Vol. 3, pp. 109-113; Vol. 4, pp. 43-45)

- RF 48 -

USSR INTERNATIONAL AFFAIRS
Aug. 10, 1960

In April 1956, Powers was recruited by the U.S. Central Intelligence Agency to fly special reconnaissance missions in specially equipped high-altitude aircraft. (Vol. 2, pp. 86-92, 103, 176; Vol. 4, pp. 45-49) When Powers was recruited, his tasks were explained to him. In this connection Powers testified: "They said that my main job would be flying along USSR borders to pick up any information I could about radar and radio stations, and any other information that could be picked up. They also said that there might be other duties in the future if everything went well." (Vol. 4, p. 47)

After that he signed a secret contract with CIA headed by Allen Dulles and pledged in writing to keep this cooperation secret. Powers was warned that for violating his pledge and divulging information about the activities of the American intelligence service he is liable to criminal prosecution and imprisonment for 10 years or a 10,000-dollar fine, or both. (Vol. 2, pp. 92, 103-104)

Indeed, Chapter 37 on "Espionage and Censorship" of the U.S. legal code contains Clause 793, which stipulates such punishment for the offenses specified above.

Powers testified that for the fulfillment of espionage assignments of the American intelligence service he received 2,500 dollars a month, although when he served in the U.S. Air Force, he was paid 700 dollars a month. (Vol. 2, pp. 2, 91)

After being enlisted by the American intelligence service he was sent for special training to a desert airfield in Nevada. At this field, which also is part of an atomic testing ground, he studied for two and a half months the high-altitude Lockheed U-2 plane and received instructions in the operation of equipment designed to intercept radio and radar signals. Piloting aircraft of this type, Powers made high-altitude, long-range training flights over California, Texas, and the northern United States.

For the sake of secrecy the spy pilots who underwent training at this airfield were registered under fictitious names. Powers himself was registered there under the name of Palmer. (Vol. 2, pp. 192-194; Vol. 3, pp. 45-52; Vol. 4, pp. 47-52)

After special training Powers was sent to the American-Turkish Incirlik military airbase near Adana, where the reconnaissance unit known under the code name of the 10-10 detachment was stationed.

This detachment--assigned to conduct intelligence work against the USSR by sending spy planes into Soviet airspace to gather information on military, industrial, and other important installations--for the sake of camouflage was officially subordinated to USAF. (Vol. 2, pp. 199, 217; Vol. 4, pp. 52-56, 62, 313)

Concerning the certificate found on Powers which was issued Jan. 1, 1959, he stated that this certificate "says that I have a right to pilot U.S. Air Force planes. It was issued to me in the 10-10 detachment on the airbase in Incirlik. The certificate was issued to us in the name of NASA. (Vol. 3, p. 183)

On orders from the 10-10 detachment command, Powers had made systematic intelligence flights since 1956 in a special high-altitude Lockheed U-2 plane along Soviet borders with Turkey, Iran, and Afghanistan. (Vol. 2, pp. 8, 177, 178, 237-239)

Powers stated about these flights: "We would take off from Incirlik airfield and fly eastward as far as the town of Van on the shores of Lake Van. Then we would proceed to Teheran, the capital of Iran, and eastward to the south of the Caspian Sea. After that I usually flew to the south of Meshed, crossed the Iranian-Afghani frontier, and farther along the Afghani-Soviet frontier ... (ellipsis as transmitted) Not far from the eastern frontier of Pakistan we turned and returned by the same route to the Incirlik airfield. Later, we began making a turn earlier, after penetrating Afghan territory for about 200 miles." (Vol. 3, p. 9)

Powers further pointed out that during his intelligence flights in this area he was told to use as emergency airfields—in case of emergency landing—those at Meshed and Teheran, in Iran. (Vol. 3, p. 37)

Powers' flight plan over the territory of the Soviet Union on May 1, 1960, was carefully prepared in advance. This is indicated by the fact that this flight was entrusted precisely to Powers, who had familiarized himself with Bodoe airport in Norway in 1958.

As established by the investigation, on Apr. 27, 1960, Powers was taken by U.S. Air Force transport plane from the Incirlik air force base to Peshawar airport in Pakistan. Colonel Shelton and a party of 20 maintenance men from the 10-10 detachment arrived simultaneously at Peshawar base to prepare this flight. The specially fitted-out Lockheed U-2 plane was flown there from Turkey by another pilot of the 10-10 detachment. (Vol. 2, pp. 179, 197-198, 240-244; Vol. 3, pp. 6-7; Vol. 4, pp. 59-60)

On the night of May 1, 1960, two and a half hours before takeoff, Powers was ordered by Shelton to fly over the territory of the USSR from south to north at an altitude of 20,000 meters along the following route: Peshawar, the Aral Sea, Sverdlovsk, Kirov, Archangel, and Murmansk, and to land at Bodoe airport in Norway.

- BE JO -

USSR INTERNATIONAL AFFAIRS
Aug. 10, 1960

In accord with the orders he received Powers, when flying over certain points of Soviet territory, was to switch on the special equipment with which the plane was fitted for aerial photography and registration of the operation of radar stations of the Soviet antiaircraft defense system. On Sheimen's orders Powers was to give special attention to several places on his course and to two points--at one of which a missile-launching site was supposed to be located and at the other, an especially important defense installation.

Powers carefully complied with all these instructions. In his Lockheed U-2 plane Powers took off from Peshawar airport, climbed to an altitude of 20,000 meters, flew over the territory of Afghanistan, and intruded into the airspace of the Soviet Union for more than 2,000 kilometers from the frontier. The navigation instruments and the special equipment functioned perfectly during the flight.

Throughout the flight Powers felt normal and plotted intelligence data on his flight map. In the area of Sverdlovsk Powers' plane was shot down by Soviet rocket troops. (Vol. 2, pp. 4, 9, 28, 37-39, 170-181, 188, 198, 230-244, 254-260, 266-271, 272-274; Vol. 3, pp. 20-23, 60-61, 132-134, 142-143; Vol. 6, p. 25)

Asked about the circumstances under which the plane he had piloted was shot down, Powers testified: "... (ellipsis as transmitted) (quite unexpectedly I heard a kind of hollow explosion and saw an orange flash. The plane suddenly pitched down, and I think its wings and tail started falling off. Perhaps the plane was not hit directly and the explosion took place near the plane and it was hit by the burst and fragments... (ellipsis as transmitted) I think it occurred at an altitude of some 60,000 feet... (Ellipsis as transmitted) I was shot down some 25-30 miles south or southeast of Sverdlovsk. At that moment I was maintaining the route indicated on my chart rather accurately... (ellipsis as transmitted) When the plane began to fall I was pressed to the control panel and could not use the catapult. I opened the canopy, unfastened the straps, and got out of the plane through the top." The parachute opened automatically." (Vol. 2, p. 102; Vol. 4, pp. 256-257)

The testimony of the accused, material evidence, and expert conclusions have shown that the plane piloted by Powers was equipped with a special explosive device permitting the pilot to blow it up in case of a forced landing in Soviet territory. Moreover, there was an explosive device in the tape recorder designed to register the signals of Soviet radar stations. (Vol. 1, p. 228; Vol. 2, pp. 209-210; Vol. 5, pp. 30, 84-91)

- BR 51

USSR INTERNATIONAL AFFAIRS
Aug. 10, 1960

Powers was provided with a special needle with lethal poison of the surgical group. This needle was given to him. Powers declared, to commit suicide in case he was tortured. (Vol. 1, p. 37; Vol. 2, p. 30, 33; Vol. 3, pp. 261-262)

All these plans and the carefully devised measures of precaution were intended to avoid the exposure of the U.S. ruling quarters' aggressive policy and to deceive the world public.

Beside the poisoned needle, Powers was provided with a pistol equipped with silencer, cartridges, a dagger, a pneumatic rubber boat, a set of topographical maps of the European part of the USSR and adjoining countries, means for lighting a fire, signal flares, an electric flashlight, compasses, a saw, fishing tackle, and other equipment, as well as 7,500 Soviet rubles and valuables (gold coins, rings, and wristwatches--TASS) which, as Powers testified, were given to him by Colonel Shelton when he boarded the plane and were for use in bribing Soviet citizens in case of a forced landing in Soviet territory.

All this equipment was taken from Powers after he was detained. (Vol. 1, pp. 21-22, 34-41, 67-72, 81-83, 161-166; Vol. 2, pp. 42-46, 217-220; Vol. 3, pp. 244-250, 257-264; Vol. 4, pp. 1-7, 16-21)

Witnesses V. P. Surin, a driver; A. F. Cheremisin, a worker, L. A. Chuzhakin, a driver; P. E. Asabin, an invalid; and many others who witnessed how the Lockheed U-2 plane was hit by a rocket in the area of Sverdlovsk and detained pilot Powers after he parachuted have testified to the following:

V. P. Surin: "On May 1, 1960 approximately at 1100 hours local time, when I was at home in my apartment, I heard a sharp noise resembling that of a jet plane, but much shriller. This got me interested and I ran into the street to find out what was up. Then I heard an explosion and also saw... (ellipsis as transmitted) a column of dust... (ellipsis as transmitted) At the same time I sighted a cloud of smoke in the sky and a white object coming down. I followed it with my eyes, and when it came lower I saw it to be a descending parachutist.

"When all this was happening driver Leonid Chuzhakin, whom I know from my work, pulled up next to me in his car... (ellipsis as transmitted) When he got out of the car I pointed to the descending parachutist and we started watching where he would land. Some time later we saw that he was landing... (ellipsis as transmitted) on the shore of a rivulet near the high-voltage line. Chuzhakin invited me into his car and we drove to the place where the parachutist landed. Some 50 meters from there, Chuzhakin stopped the car and we ran to the spot where the parachutist came down."

(Vol. 4, pp. 328-329)

- 35 52 -

USSR INTERNATIONAL AFFAIRS
Aug. 10, 1960

L.A. Chuchakin: "When the helmet with the earphones was removed, the parachutist said something in a language we did not understand. We asked him who he was, but he gave no reply. Then we saw that he was a foreigner. This put us on the alert, and then Cherevishin took away the long-barreled pistol in a leather case that was hanging from his belt. We asked him by gestures whether he was alone. He replied, also by gestures, that he was. Seeing that the parachutist was a foreigner, we decided to detain him." (Vol. 4, pp. 329, 400)

P.E. Asabin: "The parachutist fell while landing. To prevent him from being dragged on the ground by the parachute, I held him and helped him to spill the air from the parachute, since I am acquainted with this through having served in the air force in the past. Meanwhile, my acquaintances Asatoliy Cherevishin, Leonid Chuchakin, and Vladimir Surin came running up and helped the parachutist to his feet. I helped him remove the parachute, while Cherevishin, Chuchakin, and Surin removed the helmet with the earphones and gloves.

"When the helmet with the earphones was removed, the parachutist said something in a language we could not understand. We asked him who he was and what happened, but he gave no reply and only shook his head. We understood that he was a foreigner and decided to detain him." (Vol. 4, pp. 349, 350)

A.F. Cherevishin: "Supporting the detained parachutist by the arm, Asabin and I led him to the passenger car standing close by in which Chuchakin and Surin had arrived. While putting him into the car, Asabin saw that the parachutist had a hunting knife and took it away." (Vol. 4, p. 367)

The inspection of the remnants of the downed plane showed that the parts and the instrumentation of the plane were seriously damaged when the plane was hit in the air and when it crashed into the ground. Parts of the plane were scattered over an area of about 20 square kilometers. (Vol. 1, pp. 47-53, 227)

Defendant Powers, when shown the parts of the downed plane and asked what plane it was, replied: "It is a Lockheed U-2 plane in a very damaged condition." When asked if it was the plane in which he flew over the territory of the Soviet Union on May 1, 1960, Powers replied: "To my mind this is the same plane which I piloted on May 1, 1960. In order to tell more exactly I must see the pilot's cockpit, if it still exists..." (ellipsis as transmitted)

After that defendant Powers was shown the salvaged part of the pilot's cabin. When asked: "Are you familiar with this part of the plane?" He replied: "Yes, it is familiar to me. It is a canopy of the pilot's cockpit. I am sure this is the canopy of the cockpit of my plane..." (ellipsis as transmitted) (Vol. 3, pp. 155-156)

- EN 53 -

USSR INTERNATIONAL AFFAIRS
Aug. 10, 1960

The experts who inspected the remnants of the downed plane concluded that it was a subsonic one-seater reconnaissance plane of the U-2 type of the American Lockheed firm with a single turbojet engine. The plane had no national identification marks. It carried apparatus for photographic and radiotechnical reconnaissance, including a twin-lens aerial photo camera with a focal length of 36 inches, and also apparatus for detecting radio emissions on the 3-centimeter, 10-centimeter, and 1-meter wavelengths.

Installed in the plane also was a remote-controlled explosive charge containing 1.4 kilograms of explosive. The instrumentation and parts of the plane carry trade marks of different American firms; in particular the turbojet engine was made by the Pratt-Whitney firm and the starters and electric batteries were made by the firms Hamilton Standard, General Electric, and others. Besides, the instrumentation bears marks which show that it is the property of the U.S. Defense Department. For instance, the apparatus for radiotechnical reconnaissance made by the Hewlett-Packard Company and Euggins Laboratory bear special index numbers showing that it belonged to the U.S. Defense Department.

The absence on the plane of national identification marks and the presence of a set of special apparatus for photo and radiotechnical reconnaissance, as well as the blasting device for destroying the plane clearly reveal its intelligence mission. (Vol. 1, pp. 227-228, 248-253; Vol. 5, pp. 84-91, 111-112, 155-158, 174-185)

The expert technical examination has established that the plane carried a special aerial sound recorder connected with the radiowave detector, with a roll of ferromagnetic tape for eight hours of continuous operation. The sound recorder has the index M.P. (home service gives M.R.--Ed.) 12,570 and serial number 769. It has a d.c. tape-feed-actuating mechanism made by the American Globe Industries, Inc., in Dayton, Ohio.

The decoding of the impulse signals recorded on the ferromagnetic tape has shown these signals to belong to the ground radar stations of the radar network of the air defenses of the Soviet Union. These recordings can serve to determine the range of wavelengths on which the reconnoitered radar stations operate, the frequency of impulse repetition, the time of coverage of the plane by a radar station and the area of its dislocation, the number and operating duty of radar stations in service. (Vol. 5, pp. 29-36)

- 55 54 -

USSR INTERNATIONAL AFFAIRS
Aug. 10, 1950

The intelligence-gathering activity of the Lockheed U-2 plane on its flight over the territory of the USSR has also been confirmed by the findings of the technical experts who examined the plane's photographic equipment. The experts established the 75-B aerial camera No. 752400 which was found on the Lockheed U-2 to be a special reconnaissance camera designed for high-altitude photography of a strip of land 160-200 kilometers wide. The investigation has established that during his flight over the territory of the Soviet Union Powers photographed the locality of industrial, military, and other important establishments.

Most of the film removed from the plane had been found unexposed and was developed. The examination of the aerial film has established that the locality photographed with long-focus cameras from the plane is Soviet territory stretching from a point west of Tashkent to Sverdlovsk. Photographed on the film are a number of military airfields and civil airports as well as important industrial establishments of the south Urals.

The expert's findings and the rest of the evidence collected show that the air photographs obtained during the flight of the Lockheed U-2 plane piloted by Powers represent a wide range of intelligence on industrial and military establishments within the photographed area applicable both for reconnaissance purposes and for compiling topographic maps and also for determining the coordinates of strategic military establishments. (Vol. 5, pp. 177-185)

The intelligence-gathering activity of the Lockheed U-2 plane has also been confirmed by Powers' testimony during the preliminary investigation and by his own written statement.

Questioned on the substance of the charge preferred against him, Powers pleaded guilty and testified as follows: "I pleaded guilty to the fact that I have flown over the Soviet territory and over the points indicated on the chart and turned on and off the necessary controls of the special equipment mounted aboard my plane. This, I believe, was done with the aim of collecting intelligence information about the Soviet Union."

And further on: "In accordance with the contract which was signed by me with the U.S. CIA, I was a pilot of this special U.S. air detachment dealing with the collection of information about operational radio stations and radar on the territory of the Soviet Union and, as I suppose, about locations of rockets." (Vol. 2, pp. 176, 177)

Powers' liability to the charge preferred against him is confirmed by factual and written evidence, experts' findings, and the testimony of the witnesses.

- BB 55 -

USSR INTERNATIONAL AFFAIRS
Aug. 10, 1960

On the basis of the foregoing:

Francis Gary Powers, born in 1929, subject of the United States, citizen of Bourdyne, Kentucky, a high-school graduate, and pilot of the special 10-10 intelligence detachment of the U.S. CIA, is hereby accused of having, after being recruited by the U.S. CIA in 1955 conducted intense espionage activity against the Soviet Union, which is an expression of the aggressive policy pursued by the Government of the United States.

On May 1, 1960, he, Powers, invaded the airspace of the USSR in a specially equipped intelligence plane, a Lockheed U-2, with the knowledge of the U.S. Government and under instructions from the American intelligence service, which is implementing the aforementioned aggressive policy, for the purpose of gathering strategic intelligence on the location of missile bases, airfields, radar facilities, and other important USSR defense and industrial establishments--that is, information which represents state and military secrets of the Soviet Union--and, having flown more than 2,000 kilometers into the Soviet Union, photographed with special equipment a number of the above-mentioned installations, tape recorded the signals of radar stations, and collected other information of an espionage character.

The crime committed by the accused Francis Gary Powers falls within the scope of Art. 2 of the law of the Soviet Union "On Criminal Responsibility for State Crimes."

The indictment was drawn up in the city of Moscow on July 7, 1960.

Signed: A. Shelepin, chairman of Committee for State Security under the USSR Council of Ministers.

PROSECUTOR GENERAL APPROVES INDICTMENT

Moscow. Soviet Home Service, Aug. 9, 1960, 1645 GMT--L (UNCLASSIFIED)

(Text) The prosecutor general of the USSR, Rudenko, on July 9, 1960, approved the act of indictment in the case of Francis Gary Powers drawn up in accordance with Art. 2 (of the USSR criminal code?) dealing with responsibility for crimes against the state by the Committee of State Security under the USSR Council of Ministers.

375

- BB 56 -

USSR INTERNATIONAL AFFAIRS
Aug. 10, 1960

It is stated that the (concluding?) (word indistinct) that Powers has admitted to being guilty of the (crimes?) in the indictment. Power's guilt in the crime of which he is indicted is also confirmed by material evidence, findings by experts, and testimony of witnesses. At the end of the act of indictment (it is stated that?), having been enlisted in 1956 the U.S. CIA, Power's conducted active espionage work against the Soviet Union which was an expression of the aggressive policy pursued by the U.S. Government. As reported earlier, the open session of the Military Collegium of the USSR Supreme Court for the trial of Powers has been fixed for Aug. 17.